

HOUSE BILL 546

By Ramsey

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 10, Part 2, relative to certain traffic offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-207, is amended by adding the following new subsections thereto:

(h) As used in this section, "electronic citation" means a traffic citation containing all the information required by subsections (b) and (g) of this section that is prepared by a law enforcement officer in an electronic data device with the intent that the data collected shall be filed electronically with a court having jurisdiction over the alleged offense.

(i) Replicas of citation data included in an electronic citation shall be sent by electronic transmission within ten (10) days of the issuance of the citation to a court having jurisdiction over the alleged offense.

(j) Persons issued a citation pursuant to this section shall be provided with a paper copy of the citation. A law enforcement officer who files a citation electronically shall be considered to have certified the citation and has the same rights, responsibilities and liabilities as other citations issued pursuant to this section.

(k) To defray the expense of establishing and maintaining electronic citations, each court clerk with an automated citation system shall charge and collect an electronic citation fee of five dollars (\$5.00) for each conviction of an offense that is the basis for the citation. Such fee shall be paid by the defendant for any offense cited in an electronic traffic citation that results in a plea of guilty or nolo contendere, or a judgment of guilty. This fee shall be in addition to all other fees, taxes and charges. Such fee shall be

assessable as court costs. One dollar (\$1.00) of such fee shall be retained by the court clerk to defray expenses related to the establishment and maintenance of an automated citation database. Four dollars (\$4.00) of such fee shall be transmitted monthly by the court clerk to the law enforcement agency which prepared the electronic traffic citation that resulted in a plea of guilty or nolo contendere, or a judgment of guilty.

SECTION 2. The department of safety is encouraged to seek funding for implementing this act, including grants to promote the collection of data to enhance the ability to observe and analyze trends in traffic offenses and crash occurrences, rates, outcomes and circumstances.

SECTION 3. This act shall take effect July 1, 2013, the public welfare requiring it.